

REMARKS

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Claims 1-15 and 21-34 are now present in this application. Claims 1, 11, and 26 are independent. By this amendment, claims 16-20 have been canceled, without prejudice or disclaimer, claims 21-34 have been added, and claims 1-15 have been amended.

Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Drawings

The Office Action indicates that the drawings are accepted by the Examiner. Therefore, no further action is necessary at this time.

Specification Objection

The Examiner has indicated that the specification is objected, but fails to identify any errors. Reconsideration and withdrawal of this objection are respectfully requested.

Rejections Under 35 U.S.C. §§ 102 & 103

Claims 1, 7, and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tanigawa; claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa in view of Muhr; claims 3, 4, 6, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa and Muhr in view of Kwok; claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa and Muhr and Kwok in view of Gafner; claims 8-11 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa in view of Rosen and Baubin; claims 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa and Rosen and Baubin in view of Muhr; claims 13, 14, 19 and 20 stand rejected under 35 U.S.C. §

103(a) as being unpatentable over Tanigawa and Rosen and Baubin and Muhr and Kwok; and claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa and Rosen and Baubin and Muhr and Kwok in view of; claim 20 stands rejected over Tanigawa and Muhr and Kwok and Gafner.¹ These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

In light of the foregoing amendments, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. While not conceding to the Examiner's rejections, but merely to expedite prosecution, as the Examiner will note, independent claims 1 and 11 have been amended.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claims 16- 20 have been canceled, thus rendering portions of the rejections under 35 U.S.C. §§ 102(b) moot and 103(a). Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Independent claim 1 has been amended to recite a combination of elements in a laundry machine including "a cabinet", "a drum mounted in the cabinet", "a mist generating device adapted to convert water to mist, whereby the water is supplied as a mist into the drum", and "a mist transporting conduit having an inlet and an outlet, the inlet being connected to the mist generating device and the outlet arranged to deliver mist to the drum."

Independent claim 11 has been amended to recite a combination of elements in a laundry machine including "a cabinet", "a tub located in the cabinet, and adapted to contain water therein", "a drum rotatably mount in the tub", "a mist generating device adapted to convert water to mist", and "a diffusion nozzle adapted to spray the mist into the drum."

Support for "mist" can be found at page 22, lines 12-15. Applicants respectfully submits that the above combination of elements as set forth in amended independent claims 1 and 11 are not disclosed or suggested by the references relied on by the Examiner.

¹ Applicants note that the Examiner has relied on U.S. Patent No. 6,585,781 which is not available as prior art under 35 U.S.C. § 102(b) as evidencing the disclosure of WO01/11134 which was published February 15, 2001. The Examiner has not provided adequate reasons as to why WO01/11134 was not directly used, nor has the Examiner

Regarding independent claim 1, Applicants respectfully submit that none of the references relied on by the Examiner taken either, singly or in combination, render independent claim 1 unpatentable. Independent claim 1 requires “a mist generating device adapted to convert water to mist, whereby the water is supplied as a mist into the drum”, and “a mist transporting conduit having an inlet and an outlet, the inlet being connected to the mist generating device and the outlet arranged to deliver mist to the drum.”

Tanigawa discloses a drum type drying washing machine that has a nozzle 59 that is located downstream from a circulating pump 57 “for circulating washing water during washing so that washing water can forcibly be blown upon the laundry” and is oriented such that circulating water is delivered directly from the nozzle into the drum 47. *See* Fig. 7, and col. 11, lines 15-19. Therefore, the nozzle 59 cannot be the “mist generating device” as set forth in independent claim 1.

Moreover, the Examiner’s interpretation of nozzle 59 as being both the “atomizing means” and “diffusing nozzle” of original claim 7 is clearly not supported, as they are mutually exclusive as defined by Applicants. Clearly, based on original claims 1 and 7, “atomizing means” and “nozzle” are intended to have different meanings otherwise claim 7 would have been written as the atomizing means further including a nozzle if Applicants intended the nozzle to be an atomizing means. Therefore, because the present invention claims both “a mist generating device” and a “nozzle”, it is inappropriate to treat the nozzle 59 of Tanigawa as being mist generating device.

For at least these reasons, Tanigawa cannot anticipate independent claim 1 and the § 102 rejection must be withdrawn.

Because the Examiner improperly began with the assumption that Tanigawa included atomizing means, any hypothetical combination related to modifying the nozzle 59 with specific structure (Muhr, Kwok, and Gafner) cannot be maintained. Therefore, the Examiner has failed to establish a *prima facie* case of obviousness.

With regard to dependent claims 2-10, Applicants submit that claims 2-10 depend, either directly or indirectly, from independent claim 1, which is allowable for the reasons set forth above,

listed the reference on PTO-982. However, in order to advance prosecution, Applicants have addressed the subject matter of Rosen where relevant.

and therefore claims 2-10 are allowable based on their dependence from claim 1. Reconsideration and allowance thereof are respectfully requested.

Regarding independent claim 11, Applicants respectfully submit that none of the references relied on by the Examiner taken either, singly or in combination, render independent claim 1 unpatentable. Independent claim 11 requires “a mist generating device adapted to convert water to mist”, and “a diffusion nozzle adapted to spray the mist into the drum.”

As noted above, Tanigawa discloses a nozzle 59, which cannot be both the mist generating device and the diffusing nozzle. Furthermore, the numerous hypothetical combinations alleged by the Examiner begin with the premise that the nozzle 59 was an atomizing means and that all combinations were directed at “replacing” the nozzle 59 with other atomizing structure, thereby removing the nozzle 59. Consequently, the Examiner has not established a *prima facie* case of obviousness and the § 103 rejection of claim 11 must be withdrawn.

With regard to dependent claims 12-15, Applicants submit that claims 12-15 depend, either directly or indirectly, from independent claim 11, which is allowable for the reasons set forth above, and therefore claims 12-15 are allowable based on their dependence from claim 11. Reconsideration and allowance thereof are respectfully requested.

Finally, Applicants respectfully submit that any subsequent Office Action be made non-final because as noted above, Tanigawa does not show an “atomizing means” and that Tanigawa does not disclose both atomizing means and nozzle as required by original claims 7 and 17. Therefore, the Examiner subsequent Office Action would not be fully necessitated by Applicants’ amendments as the original rejection of claims 1, 7, and 17 were improper.

Claims 21-34

Claims 21-34 have been added for the Examiner’s consideration.

Applicants submit that claims 21-26 depend, either directly or indirectly, from one of independent claims 1 and 11, and are therefore allowable based on their dependence from one of claims 1 and 11, which are believed to be allowable.

In addition, claims 21-26 recite further limitations that are not disclosed or made obvious by the applied prior art references.

Independent claim 26 recites a combination of elements in a laundry machine including “a cabinet”, “a tub located in the cabinet, and adapted to the contain water therein”, “a drum rotatably mounted in the tub”, “a mist generating device adapted to convert water into mist”, and “a steam generating device adapted to heat the water to change the water into steam.”

Applicants respectfully submit that this combination of elements as set forth in independent claim 26 is not disclosed or made obvious by the prior art of record.

Consideration and allowance of claims 21-34 are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Office Action

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot.

Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

Application No. 10/822,748
Amendment dated August 20, 2007
Reply to Office Action of May 18, 2007

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By


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